REMARKS

To expedite allowance, Claims 31 and 34 have been cancelled. Claims 33, 36, 37, and 58 have been amended. Claim 58 has been amended to incorporate the limitation of claim 31, "wherein the N-Kinase is human N-kinase." Claim 58 has also been amended to recite a method of identifying a compound that "stimulates or inhibits axonal growth of a central nervous system neuron" and further includes steps c) and d), wherein step c) recites, "contacting a central nervous system neuron, *in vitro,* with said selected test compound" and step d) recites, "identifying a compound that stimulates or inhibits axonal outgrowth of the central nervous system neuron". Support for these amendments is found throughout the specification and in the claims as originally filed, specifically in ***original claim 30*** that recites "a method for identifying a compound that modulates axonal outgrowth of a central nervous system neuron..." and at page 6, lines 12-18 and page 8, lines 3-6, wherein "modulating" is defined to include the capacity to "stimulate" or "inhibit" axonal outgrowth of central nervous system neurons. Specific support for the recitation of steps c) and d) in claim 58 is found in ***original claim 46*** and at page 15, lines 23-38, wherein it is stated, "In another embodiment, the method of the invention further includes determining the ability of the test compound to modulate axonal outgrowth of a central nervous system neuron." Further, at page 16, lines 5-6, it is stated that an extension of a neuronal process five cell diameters in length is used as a criterion for growth. Claim 33 has been amended to be in independent form. Claims 36 and 37 have been amended for proper claim dependency. No new matter has been added by virtue of the claim amendments.

Claim Objections

Applicant respectfully submits that the objections of claims 33-34 and 36-37 have been obviated in light of claim amendments. Claim 33 has been rewritten in independent form. Claim 34 has been canceled. Claims 36-37 have been amended as to depend from claim 58 and not canceled claim 30.

Claim Rejections

Claim 32 has been rejected under 35 U.S.C 112, second paragraph, as having insufficient antecedent basis for the limitation of "human" in the claim.

The Applicant respectfully submits that the claim amendments have obviated this rejection, which should therefore be withdrawn.

Claims 31, 32, and 58 have been rejected under 35 U.S.C 102(a) as being anticipated by Zhou et al (28 January 2000), J. Biol. Chem 275(4):2513-9.

The Applicant has amended Claim 58 to clarify the invention and submits that the amendments to the claim have obviated the rejection. Zhou et al. does not teach an *in vitro* method of identifying a compound that stimulates or inhibits (modulates) axonal growth of a central nervous system neuron by a) contacting human N-kinase with a test compound; b) selecting a test compound that increases or decreases N-kinase dependent phosphorylation of a substrate; c) contacting a central nervous system neuron, *in vitro,* with said selected test compound; and d) identifying a compound that stimulates or inhibits axonal outgrowth of the central nervous system neuron. The Applicant respectfully submits that there is no anticipation of the Applicant's invention because Zhou et al. does not teach each and every element of the claim. Furthermore, there is no teaching in Zhou et al. of an involvement of N-Kinase with axonal growth.

Accordingly, the Applicant respectfully submits that the rejection of claims 31,32, and 58 as being anticipated by Zhou et al. be withdrawn.

Claims 58 has been rejected under 35 U.S.C 102(b) as being anticipated by Alder et al (28 January 2000), Carcinogenisis 17(9): 1849-54.

The Applicant respectfully submits that the amendment to claim 58 has obviated this rejection, which should therefore be withdrawn. Claim 58 recites "...wherein said N-Kinase is a human N-Kinase..." Alder et al. does not teach an *in vitro* method of identifying a compound that increases or decreases N-kinase dependent phosphorylation comprising contacting a human N-kinase with a test compound. Furthermore, Alder et al. does not teach contacting a central nervous system neuron, *in vitro,* with a selected test compound that increases or decreases N-kinase dependent phosphorylation, and identifying a compound that stimulates or inhibits axonal

outgrowth of the central nervous system neuron. The Applicant respectfully submits that there is no anticipation of the Applicant's invention because Alder et al. does not teach each and every element of the claim.

Claims 58 has been rejected under 35 U.S.C 102(b) as being anticipated by Rowland-Gagne & Greene (February 1990), Neurochem. 54(2): 423-33.

The Applicant respectfully submits that the amendment to claim 58 has obviated this rejection, which should therefore be withdrawn. Claim 58 recites "...wherein said N-Kinase is a human N-Kinase..." Rowland-Gagne & Greene do not teach an *in vitro* method of identifying a compound that increases or decreases N-kinase dependent phosphorylation comprising contacting a human N-kinase with a test compound. Furthermore, Rowland-Gagne & Greene do not teach contacting a central nervous system neuron *in vitro* with a selected test compound that increases or decreases N-kinase dependent phosphorylation, and identifying a compound that stimulates or inhibits axonal outgrowth of the central nervous system neuron. The Applicant respectfully submits that there is no anticipation of the Applicant's invention because Rowland-Gagne & Greene does not teach each and every element of the claim.

In view of the foregoing, Applicant respectfully requests favorable reconsideration of the application.

Conditional Petition for Extension of Time and Fee Authorization

This conditional petition is being filed along with the accompanying Amendment and Petition for Extension of time. It provides for the possibility that Applicant has inadvertently overlooked the need for a fee for extension of time.

A Petition for a TWO Month Extension of time is submitted herewith. If any additional extension of time for the accompanying response is required, Applicant requests that this be considered a petition therefore.

The Examiner is authorized to charge any fee deficiencies or credit any overpayments associated with this submission to the Nixon Peabody LLP Deposit Account No. 50-0850.

The Examiner is invited to contact the undersigned if further matters need to be discussed in order to expedite the prosecution of the present application.

Date: April 25, 2004

Respectfully submitted,

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